

REPORT

OF

THE SECRETARY OF WAR,

IN COMPLIANCE WITH

A resolution of the Senate of the 16th instant, calling for copies of the letters addressed to the War Department and Wilson Shannon by Colonel Sumner, relative to Kansas affairs; also, communicating a copy of a letter from the Adjutant General to Colonel Sumner, dated March 26, 1856.

DECEMBER 26, 1856.—Read, ordered to lie on the table and be printed.

WAR DEPARTMENT,
Washington, December 22, 1856.

SIR: In compliance with the resolution of the Senate of the 16th instant, I have the honor to transmit herewith "copies of all letters addressed to the War Department and to Wilson Shannon, late governor of the Territory of Kansas, by Colonel E. V. Sumner, United States army, relative to Kansas affairs, which have not been heretofore communicated."

I also transmit a copy of a letter from the Adjutant General to Colonel Sumner, dated March 26, 1856, relative to affairs in Kansas, not before communicated to Congress.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Hon. J. D. BRIGHT,
President pro tem. of the Senate.

HEADQUARTERS, *Fort Leavenworth, March 8, 1856.*

COLONEL: I have to acknowledge the receipt of a letter from the Secretary of War, dated on the 15th ultimo, together with the President's proclamation.

I feel honored and grateful for the trust reposed in me. There is one point on which I would respectfully ask for further instructions; I mean, of course, under the requisition of the governor. Is it the intention of the government that all armed bodies, coming either from

Missouri or from a distance, north or south, are to be resisted, whatever their proposed objects may be, and made to relinquish their military organizations, and to pass into the Territory as peaceful citizens? I am impressed with the belief that this measure will be indispensably necessary to secure the peaceful organization of the Territory.

If a regiment or any body of troops should arrive from the north and march into this Territory, it would create a furor in Missouri that would inevitably lead to bloodshed. I also think that any organized military body now in the Territory and not under the law should be abolished. It would not be necessary to disarm these people, but they could be made to separate and prevented from re-assembling. The militia of the Territory cannot be made available at this crisis. The two parties would never act together, and if either had to be coerced it would have to be done entirely by the opposite party, which would compel the authorities of the Territory to take sides in the quarrel.

I am, colonel, very respectfully, your obedient servant,

E. V. SUMNER,

Colonel 1st Cavalry, Commanding.

Colonel S. COOPER,

Adjutant General U. S. A.

ADJUTANT GENERAL'S OFFICE,
Washington, March 26, 1856.

SIR: Your communication of the 8th instant, asking, for your government, the views of the department in relation to the course which should be pursued towards all armed bodies, coming into the Territory of Kansas either from Missouri or from a distance, north or south, whatever may be their professed objects, has been received and submitted to the Secretary of War, by whom I am directed to say in reply, that the question as to where they may come from, or whether armed or unarmed, is not one for the inquiry or consideration of the commanding officer. It is only when an armed resistance is offered to the laws and against the peace and quiet of the Territory, and when, under such circumstances, a requisition for a military force is made upon the commanding officer by the authority specified in his instructions, that he is empowered to act.

I am, sir, very respectfully, your obedient servant,

S. COOPER,

Adjutant General.

Colonel E. V. SUMNER,

*1st Cavalry, Commanding, &c.,
Fort Leavenworth, K. T.*

HEADQUARTERS 1ST CAVALRY,
Fort Leavenworth, April 1, 1856.

COLONEL: I have the honor to forward a copy of a letter that I have sent to the Kansas Committee.

I am, very respectfully, your obedient servant,

E. V. SUMNER,
Colonel 1st Cavalry, Commanding.

Colonel S. COOPER,
Adjutant General U. S. Army.

HEADQUARTERS,
Fort Leavenworth, April 1, 1856.

GENTLEMEN: If you would prefer to hold the sessions of your "board" at this post, it will afford me great pleasure to give you all the facilities in my power.

There may be no excitement if you assemble elsewhere, but there will certainly be none here.

I am, with high respect, your obedient servant,

E. V. SUMNER,
Colonel 1st Cavalry, Commanding.

MESSRS. SHERMAN, HOWARD, and OLIVER,
Kansas Committee.

HEADQUARTERS,
Fort Leavenworth, April 23, 1856.

SIR: I have the honor to report the departure of a detachment of eleven men of 1st cavalry, under command of Lieutenant James McIntosh, company H, 1st cavalry, which left this post yesterday to proceed to Lecompton, on the requisition of Governor Shannon, and to enclose herewith copies of correspondence, and of my instructions to Lieutenant McIntosh.

I am, sir, very respectfully, your obedient servant,

E. V. SUMNER,
Colonel 1st Cavalry, Commanding.

Colonel S. COOPER,
Adjutant General, U. S. Army.

HEADQUARTERS,
Fort Leavenworth, April 22, 1856.

SIR: You will take command of a detachment of one sergeant and ten men and proceed to Lecompton and report to Governor Shannon, for the purpose of assisting the sheriff of Douglas county in executing several writs in which his authority has been resisted. I cannot but hope that the presence of the detachment will be sufficient, as it will

be an evidence that the government is determined to maintain the laws, as they now stand, until they are legally abrogated. If, however, I should be mistaken in this, and they should still resist the sheriff, it will then become your duty to sustain him in the *legal exercise of his authority*; bearing in mind, however, that under the orders of the President you will be responsible for the manner in which it is done. Use great circumspection and forbearance, and do not resort to violence if it can possibly be avoided.

Very respectfully, your obedient servant,

E. V. SUMNER,

Colonel 1st Cavalry, Commanding.

Lieut. JAMES McINTOSH,
1st Cavalry.

EXECUTIVE OFFICE,

Lecompton, K. T., April 20, 1856.

SIR: I have been duly advised by Samuel J. Jones, sheriff of Douglas county in this Territory, that having a warrant in his hands against a man by the name of S. N. Woods, he proceeded to the town of Lawrence, on yesterday, and arrested him; but that he was immediately rescued out of his hands by some twenty men, and that he was unable to retake him. Having obtained warrants against several of those engaged in said rescue, he proceeded this day to the town of Lawrence, with a civil posse of five men, with the view of recapturing the said Woods, and arresting the other parties against whom he had warrants, but was again resisted and unable to recapture Woods or take any of the parties against whom he held warrants. He has called upon me for a competent posse to enable him to execute the legal process in his hands. Knowing the irritated feelings that exist between the two parties in this Territory, growing out of their former difficulties, and being exceedingly desirous to avoid the effusion of blood, or any cause or excuse for further conflict or disturbance, I have thought it most advisable to call on you for an officer and six men, to accompany the sheriff and aid him in the execution of the legal process in his hands. This force will be sufficient to overpower any person or persons against whom the sheriff holds warrants, and I will not anticipate resistance beyond this at present.

To call on any of the citizens of the county to accompany the sheriff and aid in overpowering the resistance on the part of the defendants that is anticipated would most probably lead to a conflict, which, when once commenced, it is difficult to foresee where it might end; but in the use of United States troops no personal or party feeling can exist on either side, and their presence will most likely command obedience to the law. I have to ask you, therefore, to detach to this place immediately an officer with six men, to aid and assist the sheriff of this county in the execution of the warrants in his hands.

I have the honor to be your most obedient servant,

WILSON SHANNON.

Colonel SUMNER.

HEADQUARTERS,
Fort Leavenworth, April 21, 1856.

GOVERNOR: I have the honor to acknowledge the receipt of your letter dated yesterday.

In compliance with your requisition and under the orders of the President, I will send an officer and a small party to aid the sheriff in executing the laws.

I trust it will not be necessary to use violence on this occasion.

I am, sir, with high respect, your obedient servant,

E. V. SUMNER,
Colonel 1st Cavalry, Commanding.

His Excellency WILSON SHANNON,
Governor of Kansas.

HEADQUARTERS,
Fort Leavenworth, April 22, 1856.

SIR: A small detachment proceeds to Ecompton this morning on the requisition of the governor and under the orders of the President, to assist the sheriff of Douglas county in executing several writs, in which he says he has been resisted. I know nothing of the merits of this case, and have nothing to do with them; but I would respectfully impress upon you, and all others in authority at Lawrence, the necessity of yielding obedience to the proclamation and orders of the general government. Ours is emphatically a government of laws, and if they are set at naught there is an end of all order.

I feel assured that on reflection you will not compel me to resort to violence in carrying out the orders of the government.

I am, sir, very respectfully, your obedient servant,

E. V. SUMNER,
Colonel 1st Cavalry, Commanding.

To the MAYOR OF LAWRENCE.

HEADQUARTERS,
Fort Leavenworth, April 22, 1856.

GOVERNOR: I have addressed a letter to the mayor of Lawrence, and I enclose it to you to be forwarded or not, as you may think advisable. I have also told Lieutenant McIntosh to show you my instructions to him. I feel it to be indispensably necessary that the greatest prudence should be exercised in these first steps, for no man can tell where they will lead us. If they should resist this detachment, you see where it will place me; I should be compelled to act instantly with my whole force.

I am, governor, with high respect, your obedient servant,

E. V. SUMNER,
Colonel 1st Cavalry, Commanding.

His Excellency Governor WILSON SHANNON.

[Telegraphic despatch.]

HEADQUARTERS,
Fort Leavenworth, K. T., April 24, 1856—9 a. m.

COLONEL: Lieutenant McIntosh, and eleven men were sent to Le-compton on the 22d instant, on the requisition of the governor, to aid the sheriff in making several arrests at Lawrence. The people submitted to the arrests made in presence of the troops, and were apparently peaceably disposed towards them; but afterwards they shot the sheriff when standing near Lieutenant McIntosh, and again while he was in the officers' tent. He is badly wounded.

I march immediately with two squadrons, to be followed, if necessary, by the whole regiment. If it is in the power of man I will settle this difficulty without further bloodshed.

E. V. SUMNER,
Colonel 1st Cavalry, Commanding.

Colonel S. COOPER,
Adjutant General, U. S. A., Washington, D. C.

[Telegraphic despatch.]

HEADQUARTERS,
Fort Leavenworth, K. T., April 28, 1856.

COLONEL: If the people of Lawrence continue to resist the county officers, shall they be forced to comply at all hazards?

They yield to the authority of the officers of the United States, civil and military, and to the sheriff and deputies, if an army officer is present.

Please answer by telegraph.

E. V. SUMNER,
Colonel 1st Cavalry, Commanding.

Colonel S. COOPER,
Adjutant General U. S. Army, Washington, D. C.

HEADQUARTERS 1ST CAVALRY,
Fort Leavenworth, K. T., April 28, 1856.

COLONEL: I have just returned from Lawrence and Le-compton, and left all quiet there.

The people of Lawrence declare that the attempt upon the life of Sheriff Jones was an act of private assassination. Whether it was so or not time will show.

These people submit at once to the authority of the territorial officers, *in the presence of an army officer*, but I do not believe that a sheriff with a civil posse can serve a writ there for an offence against the laws of the Territory.

Is it the intention of the government that they shall be forced to

this at all hazards? If so, it may be necessary to disarm them, and this may lead to bloodshed. I do not think they would resist a *direct* order from the government, but they might resist even the troops without it.

I left a detachment of thirty-four men under two discreet officers at Lecompton, to aid the civil officers in the service of writs, &c.

Will you please answer this as soon as convenient, that I may be prepared to act promptly if the governor should make a requisition upon me.

I am, colonel, very respectfully, your obedient servant,

E. V. SUMNER,

Colonel 1st Cavalry, Commanding.

Colonel S. COOPER,

Adjutant General U. S. Army.

HEADQUARTERS 1ST CAVALRY,
Fort Leavenworth, May 12, 1856.

COLONEL: I have just returned from Lecompton. Great excitement is prevailing in the country at this moment in consequence of the marshal and sheriff summoning large posses, without reference to the governor officially, as they say, to maintain the law. I said to the governor, officially, that I would arrest and hold subject to the orders of the civil authority any men in the Territory against whom writs were issued; and further, that in order to preserve the peace of the country, I would place my entire regiment immediately at any point he might designate.

The governor is evidently desirous of availing himself of the regular troops as the only means of preserving peace, but he does not think proper to assume the responsibility of *controlling* these under civil officers by taking it upon himself to decide what kind of posses they shall use, and consequently they are made up of partisans; and if they do not bring about a serious collision, it will be because both parties have a wholesome fear of each other.

I enclose an application from the people of Lawrence, which I sent, of course, to the governor, with the accompanying letter.

I am, colonel, very respectfully, your obedient servant,

E. V. SUMNER,

Colonel 1st Cavalry, Commanding.

Colonel S. COOPER,

Adjutant General United States Army.

NEAR LAWRENCE, *May 12, 1856.*

GOVERNOR: The inclosed paper was presented to me last night; the committee stating that they had heard I had authority to act in these matters. I told them they had been misinformed; that it was left for you to decide when the troops should come out, and if they had

any application to make it should be made to you, which they said they should do immediately. I fully understand the difficulties of your position at this critical moment, and I am anxious to aid you to the full extent of my power and ability. I am impressed with the belief that a large and commanding force, placed midway between this and Lecompton, would have great moral effect in repressing these disturbances.

I am, governor, with much respect, your obedient servant,

E. V. SUMNER,

Colonel 1st Cavalry, Commanding.

His Excellency W. SHANNON.

LAWRENCE, KANSAS, *May 11, 1856.*

SIR: We have to submit for your consideration the following report of a meeting of the citizens of Lawrence, holden at 7 o'clock this evening.

Whereas, we have the most reliable information from every section of the Territory that armed bands of men are forming, and that several hundreds are now encamped within a few miles of this town, who make most violent threats of the destruction of the town and its inhabitants, therefore—

Resolved, That Messrs. Topliff, Hutchinson, and Roberts constitute a committee to wait on Colonel Sumner, commander of the 1st regiment United States cavalry, and inform him of our imminent danger, and respectfully ask of him such protection as he may be able to extend to us consistent with the authority in him vested.

Very respectfully, yours,

C. W. TOPLIFF,
W. G. ROBERTS,
JNO. HUTCHINSON.

Colonel E. V. SUMNER,

Commander of 1st Regiment U. S. Cavalry.